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THE
JUSTICE AND POLICY

OF A

W A R

WITH

S P A I N

DEMONSTRATED.

What better cause can call your lightning forth ?
Your thunder wake ? your dearest lie demand ?
What better cause, than when your country sees
The sly destruction at her vitals aim'd ?

THOMSON.

LONDON :

PRINTED FOR J. HATCHARD, BOOKSELLER TO HER MAJESTY,
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1804.

THE
J U S T I C E,
Ec.

WAR is the cause of so many serious calamities to a state, that no slight grounds, no unintentional provocations, no evils which negotiations can remedy, should induce a nation to engage in it; on the contrary, every sacrifice of punctilio should be cheerfully made, every petty topic that involves contention be shunned, and all, except the rights which are essential to the existence of a people, or, what is equivalent to its existence, its honour and character, be waved, in order to avoid this scourge of humanity.

Notwithstanding the strongest desire to be governed by these sentiments, the erection of

a new species of government in Europe, and the extension of the power and influence of that government, beyond all reasonable bounds, have compelled Great Britain again to have recourse to arms, as a less evil than the delusive truce, which France, after concluding what was called a Treaty of Peace, allowed her to enjoy.

There is no occasion to enter into the question of the justice of the war with France, or to occupy any time in proving its inevitable necessity; for, happily, there never was a great national measure on which so much unanimity prevailed. Exceptions have been taken against the period when it was begun, some asserting that it ought to have commenced earlier, and others contending that it might have been delayed longer. Objections have also been made to the manner in which the negotiations which terminated the peace, were conducted. Complaints have been circulated, and abuse liberally dealt out, upon the impolicy of making it appear to the world, that the retention of Malta, and not

the numerous aggressions, repeated insults, and encroaching power of France, were the causes of hostility; but to the war itself, no arguments have been opposed, which in the least degree impeach the justice of Great Britain, or lessen the high reputation for undeviating rectitude which she has ever deservedly maintained among the thinking part of the inhabitants of Europe.

I feel no apprehension that the injustice of France will be imitated by Great Britain, or that we shall ever have occasion to quote her aggressions on peaceful states, as an apology for our own conduct. Though she has subjugated Holland, pillaged Hanover, trampled on liberty and happiness in Switzerland, murderously violated the territory of Germany, exacted contributions from the Hans Towns, invaded Naples, and menaced Denmark, and all without cause, or even a pretext, I trust that we shall maintain the same liberal, magnanimous behaviour towards the inferior states which we have hitherto observed, and by which we have acquired more solid fame, and more durable glory, than the

conquest and plunder of the kingdoms of Europe can bestow on the barbarous Chief of enslaved France.

In examining the question of the justice and policy of a war with Spain, it cannot be improper to consider, that ever since the accession of the Bourbons to the throne of that country, a war with France, on whatever ground commenced, has produced a war with Spain; that the time for beginning that war has usually been chosen, when it was supposed that a long conflict had lessened our means of annoyance, and when the appearance of a new assailant threatened to render the triumph of our enemies decisive. In the war which began in 1739, Spain was indeed first engaged, and France afterwards joined her; but in that of the seven years, in the American, and in that of the French revolution, Spain, though long professing neutrality, carried on underhand hostility, and at length, when the proper moment arrived, openly joined our enemies, without any other justification than what her subserviency to French

interests presented. At this time, when her dependence upon France is greater, and the power of that country less in unison with the common feelings of the civilized world, we have every reason to expect the same events to occur, even if history did not hold out a lesson to assist our conjectures.

I do not, however, mean to assert, that the warnings of past events, or that the conjectures which we may draw from them, are sufficient grounds to warrant acts of hostility; I only contend, that they ought to set us on our guard, to make us more resolute in resisting every infringement of our rights, and more tenacious in demanding that a strict regard should be shewn to every existing relation between us; that they should make us watch with more jealous care every step taken by Spain which wears a warlike appearance, and require, with more than common firmness, that her professed neutrality should not be made the means of real injury to this country. I do not now inquire whether Spain *can* give us any security, that

during the present war with France she will lend no hostile aid to our mortal enemy ; and that after we have suffered her in peace to recruit her ruined finances, and to replenish her exhausted arsenals, she will not, upon the first mandate from that enemy, join with him in attempts to effect our destruction ; because the arrogance of the French, and the weakness of the Spanish government, render such an inquiry needless ; but I maintain, that this incapacity in Spain to resist the will of France, holds her up as an object of just suspicion.

In examining the conduct of Spain towards this country, we may discover many aggressions which her subjugation to France may have compelled her to commit ; but without insisting on these, though they are sufficient to justify war, and though the effect to us is the same, whether they were voluntary or forced ; passing over these at present, I propose to shew that the aggressions which are simply her own, and in which France has probably had no share, are

such as to warrant us in inflicting upon her severe chastisement.

When the late war between Spain and England began, considerable debts were owing from her subjects to the British merchants. In former wars between the two countries, the payment of engagements of this kind was mutually allowed, and even sanctioned by our laws: on her joining France in the last war, Spain ordered all debts owing to the subjects of this country to be paid into the royal treasury, and to be retained there till the return of peace; when that event took place, it was naturally expected that this money, amounting to a very large sum, would have been restored to its real owners; but the Court of Madrid was deaf to all applications, and though upwards of three years have elapsed, not one shilling has been restored; whilst, on the other hand, every demand which the merchants of Spain had on Great Britain has been honourably discharged. The slow operation of the Spanish laws cannot be urged as an excuse for this conduct, because

the matter does not lie within the cognizance of their courts, but rests in the hands of the Government itself.

Ever since the signing of the preliminaries of peace in 1801, vexatious restrictions, detentions under the most frivolous pretences, and frequent unjust condemnations of British ships and British property in the ports of his Catholic Majesty, afford undeniable proofs of a determined hostile spirit. I could bring many instances to support this assertion, and those of the most glaring nature ; but as one is sufficient to shew the disposition of the Spanish Government, and as it falls within my own knowledge, I shall briefly relate it. The ship *Mary*, from London to Leghorn, with a cargo amounting to £30,000, sailed in May 1802, and having encountered very tremendous weather, which rendered her so leaky as to make repairs necessary, entered the port of Ferrol; when she had remained there a few days, the master wished to clear out, but he was prevented, and afterwards the ship and cargo were confiscated; the reason

for which proceeding was stated to be, that the Treaty of Amiens had rendered all prior treaties with England of no force. If that were the case, the law of nations ought to have been a sufficient protection to any ship entering a port in distress, without commercial intentions; and to such protection this ship was entitled, even if the Treaty of Utrecht was abrogated by that of Amiens. It would be easy to collect a number of cases where similar injustice has been exercised towards British subjects, all exhibiting, though with various shades of difference, clear demonstrations of ill-will, as well as palpable deviations from good faith; but the more important features of the hostile mind of Spain, which are either the effects of French influence or French tyranny, lessen the heinous aspect of those which originate with herself.

In the momentous period in which we live, a new power has arisen in Europe, not new in regard to name or geographical situation, but new in its extent, its influence, its contempt for the liberties and usages of surrounding

nations, and its lavish expenditure of the lives and substance of its own subjects, employing its vast energies to realize the dreadful project of vandalizing mankind. Great Britain alone has the honour to shew the front of hostility to this destructive monster; the other nations of Europe, terrified into submission, or awed into silence, are passive spectators of a conflict, in the issue of which they are so deeply interested. As far as population goes, France, and the countries she has desolated, can furnish means fully adequate to a war of indefinite continuance; but money, the other requisite for war, can be supplied but scantily, either by her own territories, or those which she has conquered; at such a moment to furnish her with this instrument of destruction is administering fuel to the flame that threatens the desolation of Europe, and yet the resources of Spain have been constantly drained to support those armies with which the modern Attila menaces the subjugation of the world. The privateers which France sends out to commit depredations on our

commerce, are, it is true, commissioned and armed in her own harbours; but no sooner are a few men got on board, than they usually sail to a Spanish port, where they complete their crews, and proceed to sea. Besides, these ships are allowed to have shelter in the ports, and often capture our vessels within the limits of Spain, and sometimes even in her very harbours; while, in all cases, the prizes they take are sure of condemnation and sale in her maritime towns; and even her prisons have been made receptacles for British sailors.

I have been brief on the subject of the provocations to war, because there are few who doubt of its justice, though many question its policy. To the latter the future part of my remarks will be addressed; and to the former I beg to quote the words of Vattel *: “ We may distinctly point out as objects of lawful war the three following: 1. ‘ To recover what belongs ‘ or is due to us; 2. To provide for our future

* Vattel, book iii. c. iii. sec. 28.

‘ safety by punishing the aggressor ; and, 3. To defend ourselves, or to protect ourselves from injury by repelling unjust violence.’ The two first are the objects of an offensive ; the third, that of a defensive war.—*Omnia, quæ defendi, repetique et ulcisci fas sit.*”

In considering the policy of a war with Spain, we cannot avoid viewing her as the vassal of France, and equally with Holland subject to her control ; and we naturally ask, if Holland, which we would have allowed to continue neutral, was not admitted by France to remain so, why was Spain permitted to enjoy this privilege ? Did the French Government feel more tenderly for the interests of Spain than for those of Holland ? Or was it not, that she thought the neutrality of the one was as injurious to us, as the hostility of the other ? Would Spain have been permitted the tranquillity which she has enjoyed since the commencement of hostilities, if France did not know, that in the uncertain and unsettled state of the relations between her and Great Britain, her commerce could be of no benefit to us ?

Would this apparent neutrality have been borne unless France was convinced that it was beneficial to her? and how ought we to view a state of things, the result of the convenience of the enemy with whom we are contending? It surely is important, in the present state of the world, to consider well what France thinks for her interest, in her course towards universal empire; and to endeavour by all the means in our power to counteract her machinations, whether they tend to produce peace or war with other states.

But let us consider what is to be gained by a war with Spain. In the situation in which that power now stands, without a necessity of keeping up a fleet or an army beyond her peace establishment, she has the means of husbanding her resources, of drawing her revenues from her distant colonies, which, unlike those of England, pay large direct contributions to the parent state; of increasing her commercial, and thereby preparing the materials for a war-like navy; of storing her arsenals with the supplies they so much need; and of paying to

France, which does not want men, large sums of money to assist her in the attempt at our subjugation. But if Spain were at war with England, her resources would be insufficient for her own defence ; the revenues from her colonies, and possibly her colonies themselves, would be drawn to the assistance of this country, or at any rate remain unproductive to her ; her commercial navy would be annihilated, her race of seamen become extinct, and the possibility of equipping a naval force be placed out of her power for the next half century ; her arsenals, now scantily furnished, would soon be exhausted of the stores which they contain ; and the supply of money which she has hitherto yielded to France, be necessarily detained at home, to provide for her own necessities.

In the present contest it is of the utmost importance that the naval power of France, and that of every other state which she controls, should be deprived of the means of opposing us on the ocean. We are the barrier between civilization and barbarism ; our naval superiority

is the only security left that mankind shall not again be reduced to the condition of the savage tribes of the desert; and therefore even the power of acquiring naval knowledge and naval habits, should be proscribed to those who are already become, or who are certain when called upon to become, her coadjutors in this unprecedented conflict. Buonaparte has brought sailors from the Mediterranean and the Adriatic seas to convey his troops to our shores; and what reason have we to expect, if we suffer Spain to increase her mariners, and they must increase if we permit her pretended neutrality, that they also will not be transported by land to the ports of France, in order to recruit her languishing navy?

It is not necessary in addressing Britons to shew the weakness of an enemy as a reason for attacking him; but it may not be altogether foreign to our purpose to state the increase of force which France and her vassals will gain, if Spain be required to take an open share in the contest. Her navy has been boastingly stated

to consist of forty ships of the line ; and perhaps if we include those which are incapable of repair and unfit for service, it may not be overrated ; but so destitute are her arsenals of the necessaries to equip them, that with all the exertions which France would compel her to use, she would not be able to send half that number to sea. Of her army it is unnecessary to speak—it nominally amounts to no more than 60,000 men, a force barely sufficient to garrison her fortresses, and she can furnish none to join the banners of our detested foe:—to increase either the one or the other force far beyond its present state, is not in her power, especially whilst the country is wasted as it is by famine and disease, as well as torn by internal war.

It will be objected to a war with Spain, that our commercial interests would suffer a grievous blow by our being involved in it ; but it should be considered, that the state of uncertainty, in which we have long been, and in which we must ever be, whilst at war with France, is more prejudicial to our commerce than actual

hostility. When a war once commences, the merchants of the belligerent countries look out for new channels through which to conduct their trade, and in a short time, where it depends on mutual wants, and not on restrictive monopolies, it is carried on in despite of the existing warfare with regularity and success. During the last war with Spain, these new channels were resorted to, and happily for us, though peace has taken place, they have not been abandoned; for our merchants and manufacturers, warned by the past perfidy of the Spanish court, have trusted its subjects with the utmost caution. This is a public benefit; but if our traders are lulled into security by the continuance of an apparent reconciliation, British confidence may again revive, and the shock of war, whenever it arrives, be felt with tenfold force. In truth, the trade betwixt Spain and England during the last war, was principally conducted by Spanish houses, which, under the unviolated faith of Great Britain, were securely kept open here, whilst partners in the firms or connexions in

Spain, regulated the commerce there: by this means, and by the aid of neutral ships, the mutual wants of the two countries were supplied; the wines, the oil, the brandies, and the wool of Spain found the best markets in England; and the manufactures of Great Britain were not scantily distributed in his Catholic Majesty's dominions; there can then be no reason to doubt, but that, under similar circumstances, the same course will be pursued with equal facility and advantage.

The fate of Portugal, it will be said, depends on that of Spain, and her subjugation, it is stated, will be the necessary consequence of our commencing war with the latter power. France, it is asserted, will march her armies across the peninsula, and compel Portugal to make a common cause with her, at least to renounce our alliance.

The events of the campaign of 1762, when a handful of British troops repelled the invading armies of the Catholic King from Portugal, at a time, too, when the Spanish army was more numerous, and better disciplined,

than it is at present, shews, that from Spain alone, the court of Lisbon, aided by Great Britain, has nothing to fear ; it is only from France that danger is to be apprehended, and that power at present has no army even on the frontiers of its dependent and neighbouring kingdom ; and to collect any considerable force there, even if men can be spared from the other objects which may engage the whole attention of Buonaparte, is no easy matter. Let us suppose a sufficient number of troops to be collected at Bayonne, they will have to march four hundred miles before they reach the nearest part of Portugal ; their course extends through a country difficult to pass, and almost destitute of provisions, and, consequently, their subsistence would be attended with immense difficulty. Besides, sufficient time would be given to the inhabitants of Portugal to prepare for a vigorous defence, a defence which, if conducted with the requisite spirit, would be crowned with success ; but if they do not feel earnestly and warmly the importance of assisting to secure their own in-

dependence, we can only lament their apathy, and leave them to the fate of the other nations who have tamely submitted to the French yoke. Happily for mankind, the salvation of Europe does not depend on the French being able to take a temporary possession of Portugal. It will be in our power, at any time, to block up the two rivers by which that country can alone receive supplies of grain, and thereby cut off the subsistence of their army, and oblige them soon to abandon their conquest, or hold it at an expense far beyond its value.

Portugal is of no weight in Europe, and without its grand appendage, Brazil, would cease to be an object worthy of consideration. If the enemy of mankind does get possession of that kingdom, its dominions in Africa, as well as in America, will be separated from it, and must fall into the hands of the power which has the maritime ascendancy. The wines of the parent state might, indeed, find their way to Britain, and thereby procure the scanty means of bare subsistence to its wretched inhabit-

ants; but without the consumption of Brazil, the resources it affords, the shipping it creates and employs, and the stimulus to exertion which it produces, Portugal would sink to the lowest state of degradation, and, having been once plundered, it would be scarcely worth the acceptance of the French banditti.

France is aware, that, by occupying Portugal, she will throw the treasures and the commerce of the Brazils into the lap of Great Britain, and thereby enrich the state which she studies to injure. She has not always, I allow, been guided by the most correct views of what is for her own advantage, but the consequence of her entering Portugal is so obvious, and the benefit to us so certain, that she will naturally hesitate before she attempts it. In spite of her insolent assertions and uncredited invectives, she knows that we respect the faith of treaties, and the interests of inferior states; that whilst their colonies are not subservient to the views of French ambition, we shall not attempt to divert their productions from their accustomed channels;

but she knows also that Great Britain, whilst contending for the dearest rights of mankind, and the interests of civilization, will not, from timidity, permit the distant colony of any state to become the prey of her rapacity, or the instrument of her aggrandizement.

Because she knows we have not divested ourselves of all feeling for our allies, she will, without provocation from them, threaten their destruction ; but if we assume the language and the conduct which the occasion demands ; if we blockade by sea wherever she advances by land ; if we separate the colonies from every country which she enters, and prevent such countries, as we have done in the case of those which border on the Elbe and the Weser, from all external commerce, she must be soon taught that the extension of her territory only exhausts her own power, and increases the strength and security of her rival.

We have been told, that in consequence of a war with Spain we shall have a greater extent of inimical coast, from which expeditions for

the invasion of our country may be sent; and that though we may blockade the ports where the navy of France is collected, we have not ships sufficient to blockade those of Spain also. The preparation for invasion must differ according to the distance which the invading force has to go over; the petty craft which constitutes the flotilla collected at Dunkirk and Boulogne, if it can cross the Channel, would never attempt to traverse the Bay of Biscay; for this purpose ships of larger burden, and of a greater draught of water, must be selected, and such vessels could not repair to a place of rendezvous under cover of land batteries, or under the protection of flying artillery; the facility therefore of preventing their junction before troops were embarked would be greater, and the difficulty of destroying them in their own ports less. The greater quantity of shipping, stores, and provisions, that is necessary for the passage from the Spanish than from the French coasts, would render the preparations longer, and we should consequently be more aware of the harbours in which they were

preparing. The Spaniards have no troops to spare for foreign, and especially for distant warfare; and it must follow, that they could only be French troops which they could transport to our shores; and what hinders them now, in spite of the neutrality which they have been allowed, if commanded by Buonaparte, from conveying his legions to our shores? It is not the firmness with which they would resist the commands of their master; it is not the regard to their neutrality which that master professes, only when convenient to himself, that we rely upon; our assurance rests on the protection which we derive from a navy too vigilant for them to elude; but if, by favour of fogs or tempests, they should be able to escape our shipping, we rely with confidence on an army not inferior in valour to our mariners, and more than sufficient to punish their presumption.

By way of objection to a war with Spain, it has been said, that Buonaparte would avail himself of our hostility to displace the present royal family of that country, and fix one of his own

relations on its throne. Undoubtedly he will do so, if it suits the plans of ambition which he has formed; and that too whether we are at war with that kingdom or not. It is, perhaps, of little consequence to us, whether the soi-disant Emperor governs Spain under the semblance of independence, or under the forms of undisguised servitude; whether the sceptre be held by the feeble hand of a Bourbon, or the rude grasp of a cadet of the Corsican race.

The inhabitants of Spain have not witnessed the horrid wonders of revolutionary France; and not having undergone that process, their minds are unprepared for an exchange of the dominion of their lawful Kings for the usurpations of a new dynasty; and therefore the attempt to effect such a revolution would be likely to rouse their indignation, and render the vassal state a dead weight upon, rather than an acquisition to, the Chief of the French. If he meditates such a project, a period of peace would be more auspicious to his views than the moment when the country is armed for war,

and a ready pretext will never be wanted, if he has once determined to remove from Spain this last mark of independence; the groans of her subjects, and the execrations of Europe, will be alike of no avail.

“ Quem vocet divûm populus ruentis
Imperii rebus?”

The British Government, forced into a war with Spain, by a continuance of the conduct which has given such just cause of complaint, will best judge of the most effectual way of conducting it, so as to annoy her, and to benefit ourselves. The colonies of Spain naturally present themselves to our consideration: whether to subject them to our dominion, to erect them into independent governments under the protection of this country, or whether we are simply to disjoin them from the parent state, are points of very high importance; that each of these achievements may be realized, I have no more doubt than I have of the great advantage we should derive from any one of these plans being carried into effect.

I know it is an assertion very often made, that extensive colonization is injurious to the parent state ; and it is still more commonly said, that Spain has been reduced to her present condition by her extensive dependencies. I shall therefore examine, and endeavour to expose, the fallacy of both assertions*.

How, I ask, does extensive colonization injure the parent state, even supposing it to be carried to the greatest length to which it has been by any European nation? Facts are better than abstract reasonings, on a subject of this kind ; we shall first advert to those which are furnished to us by our own country, as being most familiar to us. No words are necessary to prove, that we have advanced at home in population, riches, knowledge, and all the arts of

* I might save myself and my readers much trouble, were the very valuable work of Mr. Brougham on the Colonial Policy of the European Powers, as generally read as it deserves. The facts stated in it may be relied upon. I hope the indefatigable author will pardon a stranger's making free with some of his observations, without particular references to the original.

civilized life, with more rapidity since the colonies were first planted, than before; and that these have increased with accelerated rapidity in proportion as the colonies have acquired maturity. This fact, which cannot be denied, will be accounted for, if we consider that the emigrants who quit the parent state, in order to fix in these settlements, consist rather of enterprising than of industrious persons; that the void created by their absence is speedily filled up; that emigrations are so gradual as scarcely to be felt; that the inhabitants of the new regions multiply most rapidly; that they direct their labour to the production of articles of the first necessity; and that they enrich the parent state by paying with their surplus labour for the luxuries which it produces. Dr. Franklin asserts, that when the colonies in America, now the United States, contained one million of inhabitants, only eighty thousand had been imported from Europe; since the year 1764, when he wrote, the inhabitants have increased to five millions, and we concede liberally, if we admit that an equal number have transplanted themselves to the

western world since that period. On this supposition, which cannot differ widely from the fact, we have a population of five millions, springing from one hundred and sixty thousand original settlers. This gives an annual emigration of one thousand persons, who have raised up a race, which, though now separated from the mother-country, still continues to enrich it. I allow that our other colonies have not increased in the same proportion; but it should be considered, that of those who go to the East and West Indies, many return with their fortunes to the mother-country; that we have very uncertain data as to the number of those who have permanently fixed themselves there, as well as of the present number of residents; but we may fairly assume, that their productiveness to the mother-country is greater than it would have been had they all remained at home.

Portugal, from the most inconsiderable state in Europe, rose by its colonies to a very high pitch of prosperity; Holland, by her foreign settlements, from an enclosure within mud banks, became an important member of the

European commonwealth; and France, whilst in possession of colonies, held a rank in the commercial world which she will never regain while she remains destitute of them. I pass over Spain for the present, because I intend to consider her situation more fully hereafter. To what cause, let me ask, but to the want of colonies is the present situation of Sweden, Denmark, Germany, and Italy owing? These countries possessed every advantage of soil, harbours, government, and knowledge, in common with other states, and yet have not kept pace in the increase of population, trade, and riches, with those countries which possessed colonies. It has been asserted that the mother-country, by protecting the colonies, frequently involves herself in wars: that this has never been the case, I will not assert; but surely the wars of the last century may be traced to other causes. King William's war had no connexion with colonies; the war of the Spanish succession, and the war of 1718, are not to be laid to their charge; if in that of 1739 colonial matters had

an influence, they were by no means the principal cause of it ; and though the seven years war, as far as related to England and France, ostensibly arose out of the encroachments on the back settlements of America, the real ground of it is to be traced in the relative condition of the several states of Europe ; the American war was properly a civil contest, and was derived from a new situation in human affairs, which had scarcely a parallel in history, from which instructions for conduct could be drawn : I need not add, that the war of the French revolution, as well as that in which we are now involved, are not indebted for their origin to colonial considerations.

If we reflect on the situation of Spain, and trace its history from the reign of Isabella and Ferdinand, under whom America was discovered, and began to be colonized, to the present time, we shall find reasons for its declension, amply sufficient to account for the fact, without having recourse to her American settlements, whose small number of white inha-

bitants has caused too insignificant a drain to deserve notice in the account.

After the death of Ferdinand in 1516, when Charles ascended the throne, the attainment of a preponderant power in the north of Europe was the object of the Emperor's attention, and Spain was rendered subservient to the views of the House of Austria; its labour, the flower of its population, and the treasures collected by Cortes and Pizarro, and their adventurous followers in the newly discovered regions of the western hemisphere, were all lavished to procure power and dominion for the ambitious chief of the Germanic empire. Cardinal Ximenes, the friend of Spain, to whom Charles was indebted for his throne, was dismissed through the intrigues of his Flemish favourites, and every interest of that country was ever after sacrificed to their views. In the course of the Emperor's progress towards that elevation which equalled the power of Charlemagne, Spain and its affairs occupy so small a portion in the page of history, as scarcely to be noticed during that.

long and eventful reign. Philip II. who succeeded in 1564, with exterminating fury persecuted the Protestants and Moriscos, and abstained not from his butcheries till his massacres had destroyed 120,000 human beings : his expenses in the inglorious war of the Low Countries, and the ill-fated attempt upon England, drained his kingdom of treasures which the mines of Mexico and Peru were insufficient to replace. His successor Philip III. in 1609, completed the desolation which his father had begun, by the banishment of the Moors, the most industrious and useful body of his subjects ; and in depriving Spain of one tenth of her population, deprived her of half her wealth. In the reign of Philip IV. the interests of Spain were sacrificed to the Imperial branch of the Austrian family ; and the weakness produced by the wars of Italy, and those of the Low Countries, led to the revolt of the Catalans, and to the separation of Portugal in 1640, under the puerile administration of Olivarez.

During the reign of Charles II. the misman-

nagement of the queen-mother, and her favourite Valenzuela, continued to accelerate the fall of Spain, till the intrigues of France obtained the preponderance in that court, and induced the monarch to bequeath to the family of Bourbon, the throne which the House of Austria had filled near two hundred years.

Without recurring to the massacres and expulsion of the Jews in 1492, by which 800,000 subjects were lost to the kingdom, we have seen that during the two centuries which followed that epoch, the treasures and blood of Spain had been lavished, not to support their colonies, but to nourish the wars of the House of Austria.

Since the accession of the Bourbon dynasty in the year 1700, a new direction has been given to the resources of Spain, not less injurious to her than that which prevailed under the former race. During the first eleven years, the war of the succession ravaged the kingdom, and was accompanied with all the miseries attendant upon civil contests, while the

opposition of the unfortunate Catalans, after that warfare ceased, continued to be a source of wretchedness and poverty. The succeeding contests, created by the ambitious and intriguing spirit of France, which has since swayed her councils, have only increased the long succession of her misfortunes.

Here we find more than enough to account for the declension of Spain, without taking into the account the fetters imposed on her commerce by the Alcavala * and the Almozarifazgo †; the restrictions on the transport of grain from fertile to unfruitful districts; the numerous flocks and extensive rights of the Merino sheep; the considerable bodies of idle and dissolute ecclesiastics; the many ancient foundations

* Alcavala is a duty on the sale of all property, amounting to six or seven per cent. paid every time any article changes hands: an instrument more injurious to national prosperity could not well be invented.

† Almozarifazgo is a tax on imports and exports, differing in different provinces, excessively oppressive to commerce, and which, owing to the great number of officers employed in collecting it, produces little to the government.

which, under the denomination of charities, increase mendicity ; the want of that spur which manufactories give to industry ; the pride and ignorance of its nobles and hidalgos ; and the state of superstition and ignorance from which a bigotted and intolerant church establishment has prevented the people from emerging.

If it be asserted, that though the causes before mentioned may have produced some effect, still a part of the declension must have arisen from the extensiveness of her colonization, I will examine if it possibly could have produced any.

All the dominions of Spain out of Europe, including the Luconia and Philippine islands, do not contain a population of much more than ten millions, of which the Indians, Negroes, Mulattoes, Zamboes, and other mixed breeds, form nearly nine parts in ten ; there cannot then be more than one million and a half of unmixed Spaniards, including those born in the mother-country, as well as the natives of the colonies—these are the descendants of persons,

who at different times in the course of the last three hundred years have left Europe : we have seen that in the British colonies, in 160 years 160,000 emigrants increased to five millions ; but as some of the Spanish colonies are less healthy than ours, let us allow double the number of original settlers to be necessary, and as they were less wisely governed, let us suppose the number to be still doubled, and we shall find that an annual importation from Europe of six thousand will be the full number necessary in three hundred years to create the present stock. If then the annual loss of six thousand persons of the most wavering and unsteady part of the community have had any effect in occasioning the decline of Spain, how much greater must that have been which was produced by the banishment of two millions of industrious tradesmen, artificers, and husbandmen ? for such were the Jews and Moors which the several Catholic kings drove out of their dominions.

It may not, perhaps, be the object of our

Government to reduce the Spanish settlements in America to the condition of British colonies; a more liberal and enlightened policy may direct Ministers to form them into independent governments, to erect them under the fostering care of Great Britain into states capable of preserving the liberty to which we shall have raised them, and to infuse into them that spirit of improvement, of civilization and of order, of industry and enterprise; that abhorrence of ecclesiastical intolerance; and that attachment to the sciences and arts, to which this country owes the estimation and respect in which she is held in the civilized world.

I hope there is no presumption in supposing this to be their object, or in gratifying the mind with the indulgence of the delightful contemplation, that Britain, whilst contending in Europe against the vandalism which threatens to overrun its fairest regions, is beneficently exerting herself to ensure the freedom and prosperity of ten millions of men beyond the Atlantic.

I trust there is nothing visionary in anticipating the day when the descendants of the subjects of Montezuma and Guatimozin, of Huscar and Athauhalpa, shall receive atonement for the injuries done them by Cortez and Pizarro, shall receive compensation for the wrongs inflicted by those inhuman monsters, for those atrocities and cruelties, which leave so foul a stain on the first conquest of Mexico and Peru ; by having imparted to them, through the interposition of a benign government, the blessings of a wise civil and judicial administration, and of a cultivated and enlightened state of society : nor can it be doubted that they will duly cherish sentiments of the liveliest gratitude towards the nation which, after three centuries of bondage, shall have raised them to the privileges and dignity of freedom.

That British Minister who has a heart to feel, a head to plan, and a hand to execute this mighty project, will confer blessings on mankind that shall entitle him to the highest rank.

among the benefactors of his race; he will merit and receive the grateful benedictions of his country, and the future generations of the western hemisphere will immortalize the fame of the hero of humanity. He that shall achieve this important conquest over tyranny, and who can thus check every ambitious feeling, and extinguish the lust of dominion in his own breast and in the hearts of his countrymen, will have far outstripped the merits of ancient worthies, and have reached the summit of glory by a path as novel as it is brilliant. He, indeed, as he retires from that world, which his conduct has so highly benefited, may without vanity apply to himself the well-known words of the poet—

*Exegi monumentum ære perennius
Regalique situ pyramidum altius,
Quod non imber edax, non Aquilo impotens
Possit diruere, aut innumerabilis
Annorum series, et fuga temporum.*

The reprisals which our Government has made in the recent instance of the detention

of the Spanish frigates, have been condemned with considerable asperity, an asperity which probably would have been softened, had the writers who have animadverted on the transaction, looked into the best authors on the law of nations. I am no civilian ; but the opinions of Vattel, Puffendorf, and Grotius are so decisive on this subject, that I cannot forbear claiming my reader's attention to the following extracts :

“ Reprisals are used between nation and nation, in order to do themselves justice when they cannot otherwise obtain it. If a nation has taken possession of what belongs to another, if she refuses to pay a debt or to give adequate satisfaction for it, the latter may seize something belonging to the former, and apply it to her own advantage till she obtains payment of what is due to her, together with interest and damages, or keep it as a pledge till she has received ample satisfaction. In the latter case it is rather a stoppage or seizure than reprisals ;

but they are frequently confounded in common language. The effects thus seized on are preserved while there is any hope of obtaining satisfaction or justice. As soon as that hope disappears they are confiscated, and then the reprisals are accomplished. If the two nations upon this ground of quarrel come to an open rupture, satisfaction is considered as refused from the moment that war is declared or hostilities commenced, and then also the effects seized may be confiscated.”—VATTEL’S Law of Nations, book ii. chap. 18, sect. 342.

“ He who makes reprisals against a nation on the property of its members indiscriminately, cannot be taxed with seizing the property of an innocent person for the debt of another ; for in this case the sovereign is to make compensation to those of his subjects on whom the reprisals fall ; it is a debt of the state or nation, of which each citizen ought only to pay his quota.”—*Idem*, book ii. chap. 18, sect. 345.

“ It is the usage of nations, that each subject should answer for the debts of the state of which he is a member, as also for the wrong it may have done in not rendering justice to foreigners ; so that the party interested may seize the effects of all the subjects of that state which fall into his power, and also their persons. These kinds of executions are called reprisals, and are frequently preludes to war. To shew the justice of this may be added that which Grotius says on the same subject ; that as all the members of a state take to their own account the injuries done by foreigners to any of its citizens, it is not unjust to suppose that each citizen is bound for the debts of the state ; which, in case of reprisals, is bound to indemnify him for the loss she has occasioned him. If some citizens in particular instances suffer by this, it must be placed to the account of the inevitable inconveniencies of civil society, but which are very few compared with those to which they would have been exposed in the in-

dependence of a state of nature *."—PUFFENDORF, vol. ii. book 8, chap. vi. sect. 13.

I do not intend making deductions from the passages I have quoted, but leave them to the

* It is no less clear that the measure above referred to, namely, the detention of the Spanish ships, stands justified on the principles laid down by Buddæus, when treating of the same subject, which are inserted by Barbeyrac in his note on this section of Puffendorf. The claim, says that eminent civilian, on account of which recourse is had to reprisals, ought to be very clear, and the matter in dispute of great consequence; for it would be no less imprudent than unjust to charge a foreign magistrate with connivance, or a malicious refusal to do justice in an affair that is obscure, dubious, or of no importance, or without having decisive proofs of the bad faith of the sovereign to whom application has been made, or before every method has been used to obtain justice by gentle means, as for instance, by having fair compensation made.

The moment the peace was signed, the royal treasury of Madrid became a debtor to the merchants of this country; from that time to the present hour Government has been using the gentle means above recommended: as to what the effect has been, let British creditors answer. In these circumstances, what was the line of conduct to be pursued by Great Britain? When a grievance is complained of, which admits neither of excuse nor palliation, is negotiation to last for ever? Have we not gone lengths in forbearance which the weakness of the other party can alone justify?

reflections of the reader ; who, if not satisfied with the authority of these writers, is not likely to become so by any considerations I can urge.

It is not improbable that Government may have charges against the conduct of Spain of a more serious nature than those are which I have stated, but which it does not choose to make public, while negotiations are pending. If my reasoning on the justice and policy of a war with that power be well founded, we should engage in it with firmness and decision, and prepare for the temporary privations which the event may create.

THE preceding pages, which have been the employment of a few hours leisure from other avocations, are submitted to the public with the utmost deference, by one who feels the sentiments he has expressed, who is uninfluenced by any considerations but those of the security

and prosperity of his country, who expects that the measure he contemplates will be found inevitable ; and though, from tenderness to the distresses of Spain, it may be reluctantly adopted by his Majesty's Ministers, will, he is persuaded, ultimately prove highly beneficial to the interests of Great Britain.

November 17, 1801.

THE END.



